

Docket No. 285216US0PCT

MAIL STOP PCT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Mattias SCHWARZ, et al.

SERIAL NUMBER: 10/571,470

FILING DATE: March 13, 2006

FOR: BENZIMIDAZOLE ACETONITRILES

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371

COMMISSIONER FOR PATENTS
BOX PCT
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated November 1, 2006, and in accordance with the provisions of 35 USC 371, Applicants submit herewith a Rule 63 Declaration.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$ 0.00 is paid herewith by credit card. If any difference exists between the amount due and the amount being paid herewith, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/571,470	Mattias Schwarz	285216US0PCT

INTERNATIONAL APPLICATION NO.

PCT/EP04/52137

I.A. FILING DATE

PRIORITY DATE

09/10/2004

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CONFIRMATION NO. 6618

371 FORMALITIES LETTER



OC000000021050505

ET

Date Mailed: 11/01/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/13/2006
- Copy of the International Search Report filed on 03/13/2006
- Preliminary Amendments filed on 03/13/2006
- Information Disclosure Statements filed on 03/13/2006
- U.S. Basic National Fees filed on 03/13/2006
- Priority Documents filed on 03/13/2006
- Specification filed on 03/13/2006
- Claims filed on 03/13/2006

RECEIVED: 11-3-06
 OBLON, SPIVAK, McCLELLAND
 MAIER & NEUSTADT, PC

DOCKETING DEPT.

Initials/Date Docketed: OX 11-3-06
 Type of Request: DD
 Due Date(s): 1-1-07

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

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For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/571,470	PCT/EP04/52137	285216US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)